IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.21822 of 2008
SUDHIR KUMAR SINGH
Versus
STATE OF BIHAR
---

5 25.09.2008 Heard.

The case is under Sections 147, 148, 149, 448, 323, 324 and 307 IPC. The FIR was lodged against the petitioner and ten others with the allegation that the petitioner along with other ten persons had captured the informant and the petitioner as well as co-accused Sanjit Kumar had shot at him (informant) hitting on his abdomen.

Referring the injury report, vide Annexure-3 learned counsel for the petitioner submits that the Doctor has not opined the injury to have been caused by any firearm. It is also submitted that Vide Annexure-2, the Police submitted charge-sheet under Sections 147, 323 and 325 IPC but the learned Chief Judicial Magistrate dissending with the charge-sheet has taken cognizance of offence u/s 307 IPC also.

Petitioner is said to be in custody since 8th February 2008.

Mr.S.R.Haquye, learned A.P.P. assisted by Mr.Shashi Bhusnan Prasad, learned counsel for the informant does not point out any other material.

Under the circumstances, petitioner Sudhir Kumar Singh is admitted to bail on his furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Vaishali P.S.Case No. 233 of 2007

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Jay/ **(C.M. Prasad,J)**